



PATENT
Att'y Docket No. ZIN-001
(120992/162566)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Seeds et al.

U.S. APPL. NO.: 10/538,713 GROUP NUMBER: Not yet assigned

I.A. FILING DATE: December 12, 2003 EXAMINER: Not yet assigned

TITLE: AN OPTICAL COMMUNICATION SYSTEM FOR WIRELESS
RADIO SIGNALS

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION TO WITHDRAW
HOLDING OF ABANDONMENT UNDER 37 C.F.R. §1.181**

The above-referenced application was deemed abandoned on January 8, 2007, for applicants' failure to properly respond to the Decision on Submission dated August 31, 2006. The Decision on Submission was never received by the applicants' attorney and, pursuant to 37 C.F.R. § 1.181(a), this Petition seeks a withdrawal of the holding of abandonment and, pursuant to MPEP 711.03(c), states the following in support thereof:

1. The communication at issue, namely the Decision on Submission dated August 31, 2006, was not received by the undersigned.
2. A search of the file jacket and docket records indicates that the communication at issue, namely the Decision on Submission dated August 31, 2006, was not received.
3. A copy of the docket record where the nonreceived communication at issue, namely the Decision on Submission dated August 31, 2006, would have been entered had it been received and docketed is attached to this Petition. Since a one month period for reply was set in the nonreceived communication, a copy of the docket report showing all replies docketed for a

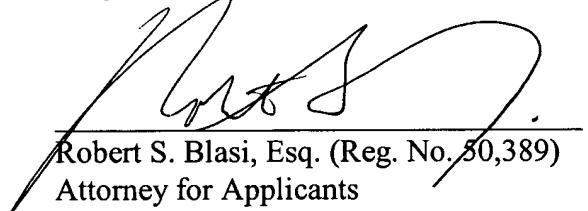
date one month from the mail date of the nonreceived Office action (i.e., September 30, 2006, one month after the Decision date of August 31, 2006) is submitted as documentary proof of nonreceipt of the communication.

4. We believe no fees are due for entry of this Petition. However, we hereby authorize charges to Deposit Account No. 07-1700 for any required fees or surcharges.

5. In the interest of expediting the processing of this application, we have enclosed six declarations believed to satisfy 37 C.F.R. §§ 1.497(a) and (b) as requested in the Decision on Submission dated August 31, 2006.

The Patent Office is invited to contact the undersigned with any questions pertaining to this Petition.

Respectfully submitted,



Robert S. Blasi, Esq. (Reg. No. 50,389)
Attorney for Applicants
GOODWIN PROCTER LLP
Exchange Place
53 State Street
Boston, Massachusetts 02109

Date: January 18, 2007

Tel. No. (617) 570-1408
Fax: (617) 523-1231

A/1757556



PATENT
Attorney Docket No. ZIN-001
(120992/162566)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Seeds et al. CONFIRMATION NO.: 6908
U.S. APPL. NO.: 10/538,713 GROUP NO.: Not yet assigned
I.A. FILING DATE: December 12, 2003 EXAMINER: Not yet assigned
TITLE: An Optical Communication System for Wireless Radio Signals

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 18 day of January, 2007.



Agnes Dineen

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Submitted herewith are:

1. **Transmittal Form (1 pg.);**
2. **Petition to Withdraw Holding of Abandonment Under 37 C.F.R. § 1.181 (2 pgs.);**
3. **Copy of Docket Record from September 30, 2006 (3 pgs.)**
4. **Executed Declarations from Seeds, Wake, Penty, Webster, Hartmann, and White (4 pgs. each, 24 pgs. total).**
5. **Return Receipt Postcard.**



PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

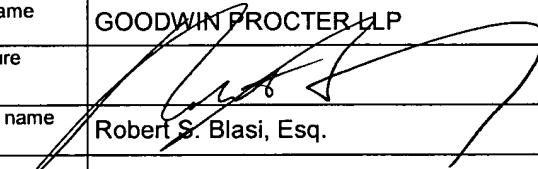
Total Number of Pages in This Submission

U.S. Application Number	10/538,713
I.A. Filing Date	December 12, 2003
First Named Inventor	Seeds
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	ZIN-001

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Executed Declarations from Seeds, Wake, Penty, Webster, Hartmann, & White (4 pgs. each, 24 pgs. total)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Petition to Withdraw Holding of Abandonment Under 35 C.F.R. § 1.181; Certificate of First Class Mailing; Return Receipt Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Copy of Docket Record from September 30, 2006 (3 pgs.)
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	Remarks	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	GOODWIN PROCTER LLP		
Signature			
Printed name	Robert S. Blasi, Esq.		
Date	January 18, 2007	Reg. No.	50,389

A/1757543



CaseNumber	InvTitle	ApplicationStatus	ActionDue	DueDate	DateTaken
102734-000457	Patient Weighing System	Published	RESP DUE - 2 MO	30-Sep-06	
102785-000222	And A Procedure For The	Granted	Maintenance Fee Due	30-Sep-06	18-Aug-06
102871-000037	of acquiring, processing and Transferred		Tax 7.5	30-Sep-06	
103797-000761	Rollers in Rotary Printing	Published	RESP DUE	30-Sep-06	29-Sep-06
103830-000630	for Waste-Containing Cases	Granted	Tax 7.5	30-Sep-06	
103832-000491	Use Thereof as Kinase-	Published	RESP DUE - 1 MO	30-Sep-06	
103832-000525	MENTIA AND	Published	6 Month Final Date	30-Sep-06	10-Jul-06
103832-000695	Use Thereof As Kinase	Published	RESPONSE DUE -3MO EXT.	30-Sep-06	05-Jul-06
103855-000445	Back for an Arm Chair	Granted	Maintenance Fee Due	30-Sep-06	20-Sep-06
103855-000703	Chest	Granted	3 Months Until Maintenance Due	30-Sep-06	30-Nov-06
103855-000705	Computer Armoire	Granted	3 Months Until Maintenance Due	30-Sep-06	30-Nov-06
104303-000590	Vegetable Juice and	Pending	REQUEST EXAM	30-Sep-06	
104303-000590	Vegetable Juice and	Pending	Request Examination	30-Sep-06	14-Mar-06
105068-000573	Compositions	Published	Maintenance Fee Due	30-Sep-06	11-Sep-06
105476-000407	the Use as Medicament or	Pending	PAYMENT INSTRUCTIONS	30-Sep-06	
1505	Materials Comprising	Abandoned	AMEND AFTER FINAL	30-Sep-06	
ADI-122	SHOE HOUSING	Published	FILE IDS	30-Sep-06	30-Aug-06
ADI-124	FOR A SHOE SOLE	Published	FILE IDS	30-Sep-06	28-Aug-06
AI-016	WITH REMOVABLY	Abandoned	Tax 7.5	30-Sep-06	
ASC-028	HIGH QUALITY RELAXED	Published	RESPONSE DUE W/EXT.	30-Sep-06	
ASC-042	STRAINED SURFACE	Pending	RESPONSE DUE	30-Sep-06	27-Oct-06
BLS-001	FOR MANAGING DATA	Published	FEES DUE-4 MO EXT	30-Sep-06	31-May-06
BPX-001	DETECTION OF	Pending	FILING FEES DUE	30-Sep-06	21-Sep-06
CIS-005	NITRIDE BULK CRYSTALS	Pending	CLIENT LTR RE: PR EXPIRATION	30-Sep-06	
CIS-005	NITRIDE BULK CRYSTALS	Pending	Filing Reminder	30-Sep-06	
CIS-005	NITRIDE BULK CRYSTALS	Pending	Foreign Filing Reminder	30-Sep-06	
CLB-002	FOR CELLULAR	Expired	DIFFERENT FIRM WILL FILE APPLN	30-Sep-06	
CTX-233	FOR RECEIVING	Pending	DECUP/POA/FEE'S DUE-1 MO EXT	30-Sep-06	30-Aug-06
CYC-044	SOLIDIFICATION AND	Published	Foreign Filing Reminder	30-Sep-06	30-Sep-06
CYC-046	CATALYSTS FOR	Published	RESPONSE DUE - FINAL	30-Sep-06	01-May-06
DUC-002	LICENSES FOR LEGALLY-	Pending	ASSIGNMENT	30-Sep-06	12-Sep-06
DUC-002	LICENSES FOR LEGALLY-	Pending	POA TO ASSOC WIFEES	30-Sep-06	14-Sep-06
ENS-017	ACID-MEDIATED	Expired	WILL NOT CONVERT APPLN PER RDM	30-Sep-06	
EPT-013	PATTERN ANALYSIS	Pending	CLIENT LTR RE: PR EXPIRATION	30-Sep-06	

HEL-040	NUCLEOTIDE ANALOGS	Pending	Information Disclosure Stmt	30-Sep-06	31-Jul-06
HEL-041	NUCLEOTIDE ANALOGS	Pending	Information Disclosure Stmt	30-Sep-06	31-Jul-06
HEL-043	NUCLEOTIDE ANALOGS	Pending	Information Disclosure Stmt	30-Sep-06	31-Jul-06
IPT-003	SYSTEMATIC	Abandoned	CA-1yr Request Reinstatement	30-Sep-06	
IPT-073	FAB 1 INHIBITORS	Pending	SEND ASSOC US PATENT	30-Sep-06	04-Sep-06
IRO-020	PERSONAL INTERACTION	Expired	US/FOREIGN FILING DEADLINE	30-Sep-06	29-Sep-06
KIC-001	FOR FACILITATING THE	Pending	FILE PATENT APPLICATION	30-Sep-06	20-Sep-06
LS1-002	MOLECULAR FUNCTION	Allowed	RCE F: 8-30-06	30-Sep-06	30-Aug-06
LUX-001	BROW DISPLAY	TRANSFER	Filing Reminder	30-Sep-06	
LUX-001	BROW DISPLAY	TRANSFER	Foreign Filing Reminder	30-Sep-06	
MDS-015	SYSTEMS FOR CERVICAL	Granted	FILE RELATED APPLNS	30-Sep-06	
MDS-015	SYSTEMS FOR CERVICAL	Granted	ISSUE AND PUB FEES DUE	30-Sep-06	14-Aug-06
MDS-031	FOR CORRECTING	Abandoned	REQUEST EXAM - 2 yrs	30-Sep-06	
MDS-031	FOR CORRECTING	Pending	REQUEST EXAM - 2 yrs.	30-Sep-06	
MIT-178	POLARIZATION	Pending	CLIENT LTR RE: PR EXPIRATION	30-Sep-06	
MIT-178	POLARIZATION	Pending	Filing Reminder	30-Sep-06	
MIT-178	POLARIZATION	Pending	Foreign Filing Reminder	30-Sep-06	
MTP-013	TYPE MARKERS OF THE	Appealed	WILL TAKE NO FURTHER ACTN-RDM	30-Sep-06	
NUP-001	RECTIFIER STORAGE	Granted	Tax 7.5	30-Sep-06	
PEP-0027	Dome Cup	Pending	FILE ASSIGNMENT	30-Sep-06	12-Sep-06
PEP-0027	Dome Cup	Pending	FOREIGN FILING DUE	30-Sep-06	19-Sep-06
PEP-0040 FOR	Bottle	Pending	APOSTILLED COPY OF ASSIGNMENT	30-Sep-06	14-Nov-06
PEP-0044 FOR	Bottle	Abandoned	POA SENT TO ASSOC?	30-Sep-06	
PEP-0057 US	Bottle	Pending	DEC/POA DUE-2 MO EXT	30-Sep-06	
PEP-0058	Bottle	Pending	FOREIGN FILING DUE	30-Sep-06	18-Sep-06
PEP-0111 FOR	Bottle	Abandoned	CERTIFIED PRIORITY DOC	30-Sep-06	
PEP-0111 FOR	Bottle	Abandoned	NOTARIZED POWER OF ATTORNEY	30-Sep-06	
PEP-0133 FOR	Corn Milling Process	Published	1 Month Until Response Due	30-Sep-06	
PEP-0170 FOR	Bottle	Abandoned	GRANT/ANNUITIES FEE DUE	30-Sep-06	
PEP-0182 FOR	Sachet	Abandoned	FILE ADDITIONAL DRWGS	30-Sep-06	
PEP-0182 FOR	Sachet	Abandoned	LEGALIZED ASSIGNMENT	30-Sep-06	
PEP-0185 FOR	Protective End Caps	Abandoned	CERTIFIED PRIORITY DOC W/ EXT	30-Sep-06	
PEP-0185 FOR	Protective End Caps	Abandoned	DEED OF ASSIGNMENT W/ EXT	30-Sep-06	
PEP-0185 FOR	Protective End Caps	Pending	FORMAL DRWGS OF DESIGN W/ EXT	30-Sep-06	
PEP-0185 FOR	Protective End Caps	Pending	Response Due w/ext	30-Sep-06	

PEP-0229 US	Coating Processes for	Published	FILE SUPPLEMENTAL IDS 1MO	30-Sep-06
PEP-0258 FOR	Bottle	Abandoned	GRANT/ANNUITIES FEE DUE	30-Sep-06
PEP-0268 FOR	Bottle	Abandoned	CERTIFIED PRIORITY DOCUMENT	30-Sep-06
PEP-0268 FOR	Bottle	Abandoned	EXECUTED PWR OF ATTY	30-Sep-06
PEP-0268 FOR	Bottle	Pending	POWER OF ATTORNEY	30-Sep-06
PEP-0270 FOR	Bottle	Abandoned	SEND ASSOC POA	30-Sep-06
PEP-0286 FOR	Reduce or Eliminate	Pending	ASSIGNMENT	30-Sep-06
PEP-0286 FOR	Reduce or Eliminate	Pending	LEGALIZED ASSIGNMENT	30-Sep-06
PEP-0312 FOR	Lid	Pending	ASSIGNMENT	30-Sep-06
PEP-0313 FOR	Container	Pending	ASSIGNMENT	30-Sep-06
C1	Hand-Held Snack Item, and	Published	RESP DUE - 3 MONTH	30-Sep-06
PEP-0336 CIP	Nitrogen Sparging of Citrus	Abandoned	Foreign Filing Due	30-Sep-06
PEP-0337	Carbonated Drink	Published	Application Status Check	30-Sep-06
PEP-0346 FOR	Glass	Granted	5YR RNL WRNG	30-Sep-06
PEP-0409 FOR	Bottle	Abandoned	APOSTILLED ASSIGNMENT	30-Sep-06
PEP-0409 FOR	Bottle	Abandoned	CERTIFIED PRIORITY DOC	30-Sep-06
PEP-0463	Food Products and Method	Pending	CONFIRM CHECK RECEIVED	30-Sep-06
PEP-0463	Food Products and Method	Pending	LTR TO CLIENT - 11 MO	30-Sep-06
SHK-003	AND ACCESSORIES AND	Pending	FILE ASSIGNMENT	30-Sep-06
SIP-032	ANTENNA SYSTEM	Allowed	RESP DUE - 1 MO EXT	30-Sep-06
SNS-019	FOR RENDERING A	Published	WILL NOT RESPOND TO TWO PER WRH	30-Sep-06
SST-002	METHOD FOR SEMI-	TRANSFER	Tax 7,5	30-Sep-06